

June 19, 2009

AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
June 19, 2009

I. OPENING OF MEETING AT 11:00 A.M. AT 160 NORTH LASALLE STREET,
SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD MAY 15, 2009

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR
MEETING HELD MAY 15, 2009?**

IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions

| <u>Agency</u> | <u>Total Employees</u> | <u>Number of Exempt Positions</u> |
|--|----------------------------|---------------------------------------|
| Aging | 159..... | 9 |
| Agriculture | 434..... | 17 |
| Arts Council..... | 21..... | 2 |
| Capitol Development Board | 44..... | 0 |
| Central Management Services | 1,483..... | 119 |
| Children and Family Services | 3,128..... | 49 |
| Civil Service Commission | 4..... | 0 |
| Commerce & Economic Opportunity | 434..... | 69 |
| Commerce Commission..... | 72..... | 0 |
| Corrections..... | 11,554..... | 116 |
| Criminal Justice Authority | 56..... | 6 |
| Deaf and Hard of Hearing Comm. | 7..... | 1 |
| Developmental Disabilities Council | 11..... | 1 |
| Emergency Management Agency | 95..... | 6 |
| Employment Security..... | 1,797..... | 25 |
| Environmental Protection Agency | 962..... | 19 |
| Financial & Professional Regulation | 741..... | 50 |
| Guardianship and Advocacy | 106..... | 8 |
| Healthcare and Family Services..... | 2,416..... | 28 |
| Historic Preservation Agency | 189..... | 12 |
| Human Rights Commission | 14..... | 2 |
| Human Rights Department | 147..... | 10 |
| Human Services | 14,154..... | 77 |
| Investment Board..... | 3..... | 2 |
| Juvenile Justice | 1,176..... | 20 |
| Labor..... | 80..... | 7 |
| Labor Relations Board Educational | 12..... | 2 |
| Labor Relations Board State | 19..... | 2 |
| Law Enforcement Training & Standards Bd..... | 21..... | 1 |
| Medical District Commission | 2..... | 0 |
| Military Affairs | 126..... | 3 |
| Natural Resources | 1,325..... | 24 |
| Pollution Control Board..... | 19..... | 2 |
| Prisoner Review Board | 20..... | 0 |
| Property Tax Appeal Board | 24..... | 1 |
| Public Health..... | 1,138..... | 44 |
| Revenue | 2,101..... | 70 |
| State Fire Marshal | 145..... | 13 |
| State Police | 1,399..... | 6 |
| State Police Merit Board..... | 6..... | 1 |
| State Retirement Systems | 80..... | 2 |
| Transportation | 2,374..... | 0 |
| Veterans' Affairs..... | 1,136..... | 7 |
| Workers' Compensation Commission | 171..... | 10 |
| TOTALS | 49,405..... | 843 |

B. Governing Rule – Jurisdiction B Exemptions

- a) Before a position shall qualify for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the position shall be directly responsible to:
 1. The Governor, or
 2. A departmental director or assistant director appointed by the Governor, or
 3. A board or commission appointed by the Governor, or
 4. The head of an agency created by Executive Order, or the director or assistant director of an agency carrying out statutory powers, whose offices are created by the Governor subject to legislative veto under Article V, Section 11, of the Constitution of 1970, which agency head, director, or assistant director may themselves be subject to exemption under Section 4d(3), or
 5. In an agency having a statutory assistant director, a deputy director exercising full line authority under the director for all operating entities of the agency, provided the statutory role of assistant director is vacant or is assigned clearly distinct and separate duties from the deputy director and as a colleague to him, or
 6. A line position organizationally located between the director and/or assistant director and a subordinate statutorily exempt position(s), provided the position proposed for exemption has line authority over the statutory exempt position(s), or
 7. The elected head of an independent agency in the executive, legislative, or judicial branch of government.
- b) If a position meets the above criterion, it must, in addition, be responsible for one or more of the following before it shall be approved as exempt:
 1. Directs programs defined by statute and/or departmental, board, or commission policy or possess significant authority when acting in the capacity of a director of programs to bind the agency.
 2. Makes decisions in exercising principal responsibility for the determination or execution of policy which fix objectives or state the principles to control action toward operating objectives of one or more divisions, such decisions being subject to review or reversal only by the director, assistant director, board, or commission.
 3. Participates in the planning and programming of departmental, board, or commission activities, integrating the plans and projections of related divisions, and the scheduling of projected work programs of those agencies.

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C1. Illinois Dept. of Financial and Professional Regulation – Proposed Exemption

| | |
|------------------|---|
| Position Number | 40070-14-01-000-00-01 |
| Position Title | Senior Public Service Administrator |
| Bureau/Division | Department of Insurance / Office of Legal Affairs |
| Functional Title | General Counsel |
| Incumbent | Vacant |
| Supervisor | Director |
| Location | Sangamon County |

C2. Illinois Dept. of Financial and Professional Regulation – Proposed Exemption

| | |
|------------------|---|
| Position Number | 40070-14-02-000-00-01 |
| Position Title | Senior Public Service Administrator |
| Bureau/Division | Department of Insurance / Legislative Affairs |
| Functional Title | Legislative Director |
| Incumbent | Vacant |
| Supervisor | Director |
| Location | Sangamon County |

CMS Recommendation: “The positions meet the reporting criteria of the Commission Rules and considering the similarity of these positions with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

D. Illinois Department of Revenue – Proposed Exemption

| | |
|------------------|---|
| Position Number | 40070-25-60-300-00-01 |
| Position Title | Senior Public Service Administrator |
| Bureau/Division | Finance & Budget Office |
| Functional Title | Chief Fiscal Officer / Purchasing Officer |
| Incumbent | Vacant |
| Supervisor | Administrator, Illinois Gaming Board |
| Location | Sangamon County |

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

- C1: General Counsel, Department of Insurance**
- C2: Legislative Director, Department of Insurance**
- D: Chief Fiscal Officer / Purchasing Officer**

E. Report on potential impact of SB0051

V. CLASS SPECIFICATIONS

The following class titles were submitted for revision by the Director of Central Management Services:

Position Titles:

- A. Aircraft Pilot II
- B. Aircraft Pilot II – Dual Rating
- C. Juvenile Justice Youth & Family Specialist Supervisor
- D. Veterans Service Officer

Items A and B Classification Analysis: “The Department of Transportation has requested revisions to the Aircraft Pilot II and Aircraft Pilot II – Dual Rating class specifications. Department of Transportation pilots do not transport medical equipment or persons requiring medical services, but these functions are found in the class specifications of the two aforementioned classes. In the State of Illinois, emergency air ambulance services and medical flight transportation are currently provided by private companies. Additionally, state-employed pilots will not be required to perform medical flight or air ambulance services in the future. Therefore, for the Aircraft Pilot II (Position Code: 00956) and Aircraft Pilot II – Dual Rating (Position Code: 00957) class specifications, it is proposed that any medical services transport references be removed. The content of the revisions can be found in the class specification drafts that are attached to the proposal.”

Item C Classification Analysis: “On further reflection, the agency has asked for a change in the requirements of the Juvenile Justice Youth & Family Specialist Supervisor class as indicated on the attached class specification. This change will afford a wider range of positions to be considered for the supervisory classification level, rather than limit selection only from the lower level Juvenile Justice Youth & Family Specialist class. This change is consistent with most other supervisory classifications which broaden out the types of jobs which would represent suitable candidate selection opportunities, which would possess three years of professional experience working with youth in juvenile services, and otherwise qualify with the stated and screened for educational backgrounds.”

Item D Classification Analysis: “We are updating the Veterans Service Officer to reflect the dates for the War on Terrorism, as this meets the criteria for inclusion as a time of hostility. The War on Terrorism began as a result of the terrorist attacks on the twin towers of the World Trade Center in New York City on September 11, 2001. Although this conflict has not been resolved, we have included an ending date of December 31, 2008 as the Civil Service Commission does not want to use a prospective or open-ended date. The ending date will be revised later.”

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WILL THE COMMISSION APPROVE THE REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE JULY 1, 2009?

- A: Aircraft Pilot II**
- B: Aircraft Pilot II – Dual Rating**
- C: Juvenile Justice Youth & Family Specialist Supervisor**
- D: Veterans Service Officer**

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?

VI. MOTION TO GO INTO EXECUTIVE SESSION

PURSUANT TO SUBSECTIONS 2I(1), 2I(4), AND 2I(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION HOLD AN EXECUTIVE SESSION TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?

VII. RECONVENE MEETING

VIII. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

| Agency | 4/30/09 | 5/31/09 | 5/31/08 |
|--|----------------|----------------|----------------|
| Aging | 1 | 1 | 0 |
| Agriculture | 0 | 0 | 2 |
| Arts Council | 0 | 0 | 1 |
| Central Management Services | 2 | 1 | 6 |
| Children and Family Services | 9 | 12 | 12 |
| Criminal Justice Authority | 1 | 1 | 0 |
| Employment Security | 3 | 4 | 2 |
| Financial and Professional Regulation | 0 | 0 | 1 |
| Healthcare and Family Services | 17 | 16 | 15 |
| Human Services | 1 | 1 | 7 |
| Law Enforcement Training Standards Board | 1 | 1 | 0 |
| Natural Resources | 0 | 0 | 21 |
| Property Tax Appeal Board | 0 | 1 | 1 |
| State Police | 0 | 0 | 1 |
| Transportation | 3 | 3 | 10 |
| Veteran's Affairs | 2 | 1 | 1 |
| Workers' Compensation Commission | 1 | 1 | 0 |
| Totals | 41 | 43 | 80 |

IX. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL

- **DISCHARGE**

DA-4-09

| | | | |
|-----------|--|-------------------------|--|
| Employee | Leo Padzunas | Appeal Date | 7/25/08 |
| Agency | DHS | Decision Date | 6/05/09 |
| Type | Discharge | ALJ | Daniel Stralka |
| Charge(s) | Conduct unbecoming; violation of workplace violence policy | Recommended Decision | Charges are proven but warrant 90-day suspension. |

DOES THE COMMISSION AFFIRM AND ADOPT THE RECOMMENDED DECISION IN THE ABOVE MATTER?

- **DISCHARGE**

DA-15-09

| | | | |
|-----------|---|-------------------------|-------------------------|
| Employee | Jacqueline Gollay | Appeal Date | 11/03/08 |
| Agency | DFPR | Decision Date | 06/05/09 |
| Type | Discharge | ALJ | Andrew Barris |
| Charge(s) | Violation of disability leave; physician's statement indicated permanent and total disability for employment | Recommended Decision | Charges are not proven. |

DOES THE COMMISSION AFFIRM AND ADOPT THE RECOMMENDED DECISION IN THE ABOVE MATTER?

X. APPEALS TERMINATED WITHOUT DECISION ON THE MERITS

- **DISMISSED**

GT-34-09

| | | | |
|-----------|---|-------------------------|--|
| Employee | David Puccetti | Appeal Date | 4/24/09 |
| Agency | DOT | Decision Date | 5/19/09 |
| Type | Geographic Transfer | ALJ | Andrew Barris |
| Charge(s) | Transferred from the Taylorville Yard to the Shelbyville Yard in violation of procedures | Recommended Decision | Dismissed; withdrawn (transfer was not approved). |

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DOES THE COMMISSION AFFIRM AND ADOPT THE RECOMMENDED DECISION IN THE ABOVE MATTER?

XI. REPORT ON THE TREATMENT OF PRIOR DISCIPLINARY INCIDENTS WHICH ARE THE SUBJECT OF PENDING GRIEVANCES

XII. REVIEW OF EXECUTIVE SESSION MINUTES PURSUANT TO OPEN MEETINGS ACT

AFTER REVIEW OF THE EXECUTIVE SESSION MINUTES PURSUANT TO THE OPEN MEETINGS ACT, WILL THE COMMISSION AGREE THAT THE NEED FOR CONFIDENTIALITY STILL EXISTS?

XIII. STAFF REPORT

XIV. ANNOUNCEMENT OF NEXT MEETING

The next regular meeting is to be held on Friday, July 17, 2009 at 11:00 a.m. in the Commission's Chicago office.

XV. MOTION TO ADJOURN